

**DECLARATION OF DARRYL CARLSON
JULY, 2008**

I, Darryl Carlson, do solemnly declare:

- 1. On July 20th 2008, I contacted Annie Leong at her place of employment at Long's Store in Kihei, Maui.**
- 2. During the course of my interview, Ms. Leong was asked to clarify some issues regarding what took place on July 14, 1995 related to the police investigation of the stabbing of Vilmar Cabaccang and the suspect who entered the Gas Express store in the early morning hours.**
- 3. Inter Alia, Ms. Leong stated that she provided a description to police regarding the male that entered the store wherein she was employed. The composite that was drafted by the police detective was not done exactly to her description of the person.**
- 4. She stated that the person's neck was not so long, the ears were not so large, the chin not as pointed and the hair did not flip out as was depicted in the drawing, albeit the hair was dark and long.**
- 5. She stated the young man who had an injury to his right hand was having trouble opening a small pack which contained a lot of money within and she initially thought the man may have been handicapped.**
- 6. She felt the police were rushing as they wanted to make the deadline for the newspaper.**
- 7. The surveillance tape of the store was provided to the police by the store manager, Kimberly Cortes who now resides on the mainland.**
- 8. Ms. Leong stated she was not shown a six pack photographic lineup of any suspects.**
- 9. Ms. Leong was shown a photograph of police officers taken by the Maui news on the morning of July 14, 1995 and identified Detective Funes**

Exhibit C

and Lt. Ribao as two of the detectives that interviewed her during the first few weeks.

10. Approximately two weeks after the incident, she was shown two colored 4 x 6 photographs of a number of people standing together.

11. From one of the 4 x 6 photographs, Ms. Leong identified the person who entered the Gas Express store on July 14, 1995.

12. At the time she was shown these pictures she recalls three or four police officers present. One of which was Lt. Ribao and another was a man in a suit that represented somebody.

13. Ms. Leong was not called to the trial of Taryn Christian to testify as to her identification of the person who entered the Gas Express store on the morning of July 14, 1995.

14. Although Ms. Leong was open and honest regarding her recollection of events, she was not comfortable in providing a declaration.

I DECLARE UNDER THE PENALTY OF LAW THAT THE
FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY
KNOWLEDGE AND BELIEF.

Dated: July 16, 2008


DARRYL CARLSON